

Atty. Dkt. No. 016787-0252

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

lacob MATHIESEN et al.

Title:

ELECTROPORATION DEVICE AND INJECTION

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APPARATUS

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Appl. No.:

10/748.658

Filing Date:

12/31/2003

Examiner:

Not yet assigned

Art Unit:

Not yet assigned

## INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §1.56

Mail Stop Amendment Commissioner for Patents PO Box 1450 Alexandria, Virginia 22313-1450

Sir

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

## TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR \$1.97(b), before the mailing date of the first Office Action on the merits, and within three (3) months of the mailing date of the foreign search report.

## RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

FOLEY & LARDNER LLP Customer Number: 22428

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Stephen A. Bent Attorney for Applicant Registration No. 29,768

MODIFIED PTO/SB/08 (08-00) Approved for use through 10/31/2002, OMB 0651-0031

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INFORMAT	ION DISCLO	SURE	Application Number	10/748,658	
STATEMEI	NT BY APPLI	CANT	Filing Date	12/31/2003	
Data Suba	nitted: May 7.	2004	First Named Inventor	r lacob MATHIESEN	
Date Odbii	inted. Way 7,	2004	Group Art Unit	Not yet assigned	
(use as many	sheets as ne	cessary)	Examiner Name	Not yet assigned	
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004	U.S. PATENT DOCUMENTS						
6			Date of Publication	Pages, Columns, Lines, Where Relevant			
	Number	Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Of Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear		
7	5,620,421		William L. SCHMITZ	4/15/1997			
V	5,823,993		Jerome H. LEMELSON	10/20/1998			
V	5,672,317		Roche Diagnostics Systems, Inc.	9/30/1997			
J	6,208,893		Genetronics, Inc.	3/27/2001			
		U.S. Patent D Number 5,620,421	U.S. Patent Document    Number   Kind Code <sup>2</sup> (if known)	U.S. Patent Document    Number   Kind   Cited Document	U.S. Patent Document   Name of Patentee or Applicant of   Date of Publication of Cited Document   Name of Patentee or Applicant of   Cited Document   Name of Patentee or Applicant of   Cited Document   Name of Patentee or Applicant of   Ocited Document   Name of Patentee or Applicant of   Ocited Document   Name of Patentee or Applicant of   Ocited Document   Name of Patentee or Applicant of Ocited Document   Name of Patentee or Applicant of Ocited Document   Ocited Document   Name of Patentee or Applicant of Ocited Document   Ocited Document   Name of Patentee or Applicant of Ocited Document   Oci		

FOREIGN PATENT DOCUMENTS								
Examiner Initials*				Kind Code <sup>5</sup>	Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T6
		~	EP 0 583 078 A	A2	WALLAC OY	2/16/1994		Π
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		NON PATENT LITERATURE DOCUMENTS	_
Examiner nitials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the tem (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	т
		International Search Report	
		Database WPI, Section Ch, Week 198736 Derwent Publications, Ltd., London, GB; Class B07, AN 1987- 251781 XP002269622 & ES 8 706 023 A (Pascual J), August 16, 1987 "Abstract"	İ

Examiner Signature	/Phillip Gray/	Date Considered	03/27/2009

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered, include copy of this form with next communication to applicant.

\* Unique clusters designation number. "See attached Kinds of U.S. Patent Documents. "Eater Office that issued the document, by the two-letter code (NIPO Standard ST.3)." For Janganes patent document, by indication of the year of the region of the Emparements precede the senial number of the patent document. \*\*
\*\*Ridd of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. \*\*Applicant is to place a check mark here if Emglish tanguage \*\*Translation is station.\*\*

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